



General Assembly

Substitute Bill No. 5256

February Session, 2014



**AN ACT CONCERNING THE COMPENSATION OF WORKERS ON
FAMILY HOLIDAYS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2014*) (a) For purposes of this
2 section:

3 (1) "Employee" shall have the same meaning as "employee", as
4 defined in section 31-58 of the general statutes;

5 (2) "Employer" means any owner or any person, partnership,
6 corporation, limited liability company or association of persons acting
7 directly as, or on behalf of, or in the interest of an employer in relation
8 to not less than five employees, including the state and any political
9 subdivision thereof;

10 (3) "Family holiday" means Thanksgiving Day or Christmas Day;
11 and

12 (4) "Retail business" means any for-profit or not-for-profit business
13 having a fixed, permanent location the principal activity of which is
14 exhibiting or offering for sale goods, wares or merchandise on a
15 continuous basis.

16 (b) Each employer operating a retail business shall compensate each

17 employee who works for such retail business on a family holiday by
 18 (1) paying the employee at a rate not less than two and one-half times
 19 the regular rate, as described in section 31-76b of the general statutes,
 20 at which he or she is employed for the duration of time the employee
 21 works for such retail business on the family holiday, or (2) (A) paying
 22 the employee at a rate not less than one and one-half times the regular
 23 rate, as described in section 31-76b of the general statutes, at which he
 24 or she is employed for the duration of time the employee works for
 25 such retail business on the family holiday, and (B) granting such
 26 employee future paid leave at a rate not less than the regular rate, as
 27 described in section 31-76b of the general statutes, at which he or she is
 28 employed for the duration of time the employee worked for such retail
 29 business on the family holiday.

30 (c) Any employee aggrieved by a violation of the provisions of this
 31 section may file a complaint with the Labor Commissioner. Upon
 32 receipt of any such complaint, said commissioner may hold a hearing.
 33 After the hearing, any employer who is found by the Labor
 34 Commissioner, by a preponderance of the evidence, to have violated
 35 the provisions of this section shall be liable to the Labor Department
 36 for a civil penalty of up to one hundred dollars for each violation. The
 37 Labor Commissioner may award the employee all appropriate relief,
 38 including the payment of back wages, to which the employee
 39 otherwise would have been eligible. Any party aggrieved by the
 40 decision of the commissioner may appeal the decision to the Superior
 41 Court in accordance with the provisions of chapter 54 of the general
 42 statutes.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2014	New section
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LAB *Joint Favorable Subst.*